

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 270-37 (COR)

Introduced by:

Chris Barnett *DCB*
Sabina F. Perez *SFP*

**AN ACT TO *ADD* A NEW § 81114 TO CHAPTER 81,
TITLE 10, GUAM CODE ANNOTATED RELATIVE TO
THE EMPLOYMENT OF MEDICOLEGAL DEATH
INVESTIGATORS BY THE OFFICE OF THE CHIEF
MEDICAL EXAMINER.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent** *I Liheslaturan Guåhan* finds that
3 the American Board of Medicolegal Death Investigators (ABMDI) is a voluntary
4 national, not-for-profit, independent professional certification board that has been
5 established to promote the highest standards of practice for medicolegal death
6 investigators.

7 ABMDI certifies individuals who have the proven knowledge and skills
8 necessary to perform medicolegal death investigations as set forth in the National
9 Institutes of Justice 1999 publication *Death Investigation: A Guide for the Scene*
10 *Investigator*.

11 *I Liheslaturan Guåhan* further finds that the ABMDI website contains the
12 following Frequently Asked Questions (FAQs) about Medicolegal Death
13 Investigators:

14 **“FAQ**

15 **1. What is a Medicolegal Death Investigator?**

1 The role of the medicolegal death investigator is to investigate any
2 death that falls under the jurisdiction of the medical examiner or
3 coroner, including all suspicious, violent, unexplained and unexpected
4 deaths. The medicolegal death investigator is responsible for the dead
5 person, whereas the local law enforcement jurisdiction is responsible
6 for the scene. The medicolegal death investigator performs scene
7 investigations emphasizing information developed from the decedent
8 and determines the extent to which further investigation is necessary.
9 Medicolegal death investigators should have a combination of
10 education and skills encompassing areas of medicine and law.

11 **2. Who can become a Medicolegal Death Investigator?**

12 There are no formal requirements to become a medicolegal death
13 investigator. Each coroner and medical examiner office has different
14 hiring practices. A medicolegal death investigator must be
15 knowledgeable of local, state and federal laws. In addition, a
16 medicolegal death investigator must be the most medically
17 knowledgeable person at the scene of the crime to determine if further
18 investigation is necessary.

19 **3. Do I have to have a degree?**

20 There are no formal educational requirements specifically for
21 medicolegal death investigation. Any degree program dealing with
22 Forensic Science, Natural science, Anthropology, Nursing, or any other
23 medically related field would be useful. There are several established
24 training courses available throughout the country that teach the basic
25 information needed in order to perform a thorough, competent
26 medicolegal death investigation.

27 **4. How much money will I make as a Medicolegal Death Investigator?**

1 An investigator's salary will be determined by the jurisdiction and
2 amount of experience the medicolegal death investigator has. Salaries
3 and benefits vary throughout the United States.”

4 *I Liheslaturan Guåhan* further finds that employment by the Office of
5 Postmortem Examinations of ABMDI registered and certified medicolegal death
6 investigators, to work under the supervision of the Chief Medical Examiner, will
7 greatly enhance the office’s capabilities to expediently and accurately determine the
8 cause of death of deceased individuals, especially where the cause of death is from
9 unnatural causes such as homicide, accidental death, suicide or illicit drug use.

10 It is the intent of *I Liheslaturan Guåhan* to allow the Office of Post Mortem
11 Examinations/Chief Medical Examiner and the Department of Administration to
12 develop job specifications for registered and certified medicolegal death
13 investigators and to authorize the Office of Post Mortem Examinations/Chief
14 Medical Examiner to employ registered and certified medicolegal death
15 investigators, pursuant to the merit system, in the classified service of the
16 Government of Guam.

17 **Section 2.** A new § 81114 is *added* to Chapter 81, Title 10, Guam Code
18 Annotated to read as follows:

19 **“§ 81114. Employment of Medicolegal Death Investigators**

20 (a) The Office of Post Mortem Examinations/Chief Medical Examiner
21 may employ registered and certified medicolegal death investigators.
22 Medicolegal death investigators are employees that aid in the investigations
23 that determine the cause of death of deceased persons.

24 (b) The Department of Administration, consistent with the provisions
25 of Chapter 6, Title4, Guam Code Annotated shall develop job descriptions
26 and pay grades for positions described in paragraph (a), supra. Such job
27 descriptions shall be consistent with those recommended by the *American*

1 Board of Medicolegal Death Investigators (ABMDI) or its successors and the
2 recommendations of Office of Post Mortem Examinations/Chief Medical
3 Examiner. Such positions shall be created within the merit system and the
4 classified service of the Government of Guam.

5 (c) The Office of Post Mortem Examinations/Chief Medical Examiner
6 may petition the Peace Officers Standards and Training Commission to
7 develop any additional standards that might be necessary for medicolegal
8 death investigators, as law enforcement officers, beyond those recommended
9 by the ABMDI.

10 (1) Notwithstanding other provisions of law to the contrary,
11 persons appointed as a medicolegal death investigator shall:

12 (A) be a resident of Guam and a U.S. citizen;

13 (B) be of good health and good moral character;

14 (C) be over the age of eighteen (18) years;

15 (D) be a high school graduate or equivalent, but the POST
16 Commission may set higher academic qualifications for all
17 applicants as the Commission considers necessary;

18 (E) submit to and pass a drug screening test, including but
19 not limited to a urinalysis test;

20 (F) submit to psychological testing; and

21 (G) submit to and pass a polygraph examination.

22 (2) No person shall be appointed as a medicolegal death
23 investigator who has been convicted in any civilian or military court of
24 a felony, a crime involving moral turpitude, a crime of domestic or
25 family violence, or who has been administratively pardoned of any
26 crime.

1 (3) No person shall be appointed as a medicolegal death
2 investigator before a thorough investigation of the applicant's
3 background and moral character is completed.

4 (d) In the event that there are no applicants that meet the minimum
5 knowledge, abilities and skills to be registered or certified medicolegal death
6 investigators, the Office of Post Mortem Examinations/Chief Medical
7 Examiner may employ candidates as interns, with compensation, while
8 completing the training and experience necessary to meet the minimum
9 requirements for employment. The Office of Post Mortem
10 Examinations/Chief Medical Examiner shall determine the length of
11 internship programs. Internships are limited term appointments until such
12 time the intern is either hired as a medicolegal death investigator or
13 terminated."